

Served: April 24, 1992

NTSB Order No. EA-3552

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD
at its office in Washington, D.C.
on the 20th day of April, 1992

BARRY LAMBERT HARRIS,
Acting Administrator,
Federal Aviation Administration,

Complainant,

v.

ROBERT W. GORDON,

Respondent.

ORDER DISMISSING APPEAL

On December 4, 1991, respondent filed a notice of appeal from the oral initial decision Administrative Law Judge Jerrell R. Davis issued at the conclusion of an evidentiary hearing held on November 27, 1991.¹ However, respondent has not filed an appeal brief and his appeal² is therefore subject to dismissal under section 821.48(a) of the Board's

¹The law judge affirmed an emergency order of the Administrator revoking respondent's mechanic certificate with airframe and powerplant ratings for his alleged violation of section 65.20(a)(1) of the Federal Aviation Regulations.

²Respondent elected to have his case processed as a non-emergency.

Rules of Practice.³ See 49 CFR Part 821.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's appeal is dismissed.

COUGHLIN, Acting Chairman, LAUBER, KOLSTAD, HART, and HAMMERSCHMIDT, Members of the Board, concurred in the above order.

³Section 821.48(a) provides as follows:

"§ 821.48 Briefs and oral argument.

(a) Appeal briefs. Each appeal must be perfected within 50 days after an oral initial decision has been rendered, or 30 days after service of a written initial decision, by filing with the Board and serving on the other party a brief in support of the appeal. Appeals may be dismissed by the Board on its own initiative or on motion of the other party, in cases where a party who has filed a notice of appeal fails to perfect his appeal by filing a timely brief."